

DOCKET NO.: RFMC-0078

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:

R. Lee Roberts, Mark Kevin Addison and Andrew Scott Taylor

Serial No.: 08/935,365

Group No.: 1308

Filed: September 22, 1997

Examiner: Not yet assigned

For: LOW PROFILE EXTRUDED UNDERDRAIN

I, David R. Bailey, Registration No. 35,057 certify that this correspondence is being deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

On March 30, 1998

David R. Bailey Reg. No. 35,057

Box Missing Parts  
Assistant Commissioner for Patents  
Washington DC 20231

Sir:

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

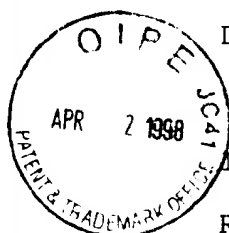
In response to the "Notice to File Missing Parts of Application--Filing Date Granted" dated January 30, 1998, a response to which is due March 30, 1998, enclosed herewith for filing is:

(XX) The original Combined Declaration and Power of Attorney, executed by the inventor(s). An unexecuted copy of this document, attached to the above-identified specification, was filed by Express Mail No. **EM15577096US** on September 22, 1997.

(XX) An Associate Power of Attorney is also enclosed.

( ) Small entity status of this application under 37 CFR 1.9 and 1.27 has been established by a Verified Statement previously submitted on \_\_\_\_\_.

( ) The original executed Verified Statement Claiming Small Entity Status Under 37 CFR 1.9 and 1.27 is filed



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On

11/13/97  
*David R. Bailey*

David R. Bailey Reg. No. 35,057

Assistant Commissioner for Patents  
Washington DC 20231

ATTENTION: Refund Section, Accounting Division, Office of Finance

**REQUEST FOR REFUND**  
**(37 CFR 1.28(a))**

**I. SUBMISSION OF VERIFIED STATEMENT**

(complete (a) or (b))

- (a) X Attached is a verified statement claiming small entity status in this application.
- (b)     A verified statement claiming small entity status was filed in this application on @@

**II. REFUND REQUEST**

This request for refund is made within two months of the date a fee was paid in this application on September 22, 1997, in the amount of \$1,324.

### III. FEES PAID FOR WHICH REFUND REQUESTED

FEE PAID:	AMOUNT OF REFUND REQUESTED:
Filing Fee	\$ 662.00
Surcharge for filing the basic filing fee on a date later than the filing date of the application (37 CFR 1.16(e) or 37 CFR 1.16(l))	\$
Surcharge for filing the oath or declaration on a date later than the filing date of the application (37 CFR 1.16(e))	\$
Extension of Term	\$
Issue Fee	\$
Patent Maintenance — First Maintenance Fee — Second Maintenance Fee — Third Maintenance Fee	\$
Patent Maintenance Fee Surcharge	\$
Other:	\$
TOTAL REFUND REQUESTED:	\$


### IV. MANNER OF REFUND

Please make refund by

- ☒ crediting Deposit Account No. 23-3050.  
 \_\_\_ refunding overpayment.

Respectfully submitted,

Date: November 13, 1997

  
 David R. Bailey  
 Registration No. 35,057

WOODCOCK WASHBURN KURTZ MACKIEWICZ & NORRIS LLP  
 One Liberty Place - 46th Floor  
 Philadelphia, PA 19103  
 (215) 568-3100



**UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office**

Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
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NO. 935,185 DIV. 2 17 ROBERTS

RE ML-0078

0292/0130

DAVID P. BAILEY  
WOODCOCK WASHBURN BURTZ  
BLACK EMERSON AND NORRIS  
ONE LIBERTY PLACE 46TH FLOOR  
PHILADELPHIA PA 19101

NOT ASSIGNED

DATE MAILED: 1308

01/30/98

**NOTICE TO FILE MISSING PARTS OF APPLICATION  
Filing Date Granted**

An Application Number and Filing Date have been assigned to this application. However, the items indicated below are missing. The required items and fees identified below must be timely submitted **ALONG WITH THE PAYMENT OF A SURCHARGE** for items 1 and 3-6 only of \$ 130 for a ☒ large entity ☐ small entity in compliance with 37 CFR 1.27. The surcharge is set forth in 37 CFR 1.16(e). Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file all required items and pay any fees required above to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

*If all required items on this form are filed within the period set above, the total amount owed by applicant as a*  
☐ large entity ☐ small entity (verified statement filed), is \$ 130.

☐ 1. The statutory basic filing fee is:

- ☐ missing.
- ☐ insufficient.

*Applicant must submit \$ \_\_\_\_\_ to complete the basic filing fee and/or file a verified small entity statement claiming such status (37 CFR 1.27).*

☐ 2. Additional claim fees of \$ \_\_\_\_\_, including any multiple dependent claim fees, are required.

*Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.*

☐ 3. The oath or declaration:

- ☐ is missing.
- ☐ does not cover the newly submitted items.
- ☐ does not identify the application to which it applies.
- ☐ does not include the city and state or foreign country of applicant's residence.

*An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.*

☒ 4. The signature(s) to the oath or declaration is/are:

- ☒ missing.
- ☐ by a person other than inventor or person qualified under 37 CFR 1.42, 1.43, or 1.47.

*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*

☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

*An oath or declaration listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.*

☐ 6. A \$ \_\_\_\_\_ processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

☐ 7. Your filing receipt was mailed in error because your check was returned without payment.

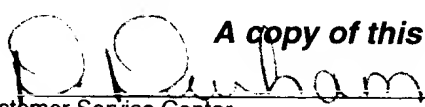
☐ 8. The application does not comply with the Sequence Rules.

*See attached "Notice to Comply with Sequence Rules 37 CFR 1.821-1.825."*

☐ 9. OTHER:

Direct the response and any questions about this notice to "Attention: Box Missing Parts."

**A copy of this notice MUST be returned with the response.**

  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202